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Next 4 Page(s) In Document Exempt

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CQ

94th
Congress

NEW HAMPSHIRE SENATE SEAT

The contested ballots of New Hampshire's disputed Senate election last November are due to undergo a third recount. (*Earlier story, Weekly Report p. 224*)

The Senate Rules Committee Feb. 19, on a motion by Mark O. Hatfield (R Ore.), voted unanimously to recount about 3,500 ballots to try to finally determine whether former Rep. Louis C. Wyman (R N.H. 1963-65, 1967-74) or Democratic nominee John A. Durkin won the seat.

The committee's decision was favored by Durkin, who preferred to have only the contested ballots considered by the committee. Wyman wanted the panel to recount all 223,000 votes cast in the Senate election.

The committee, nevertheless, left open the possibility that it would expand its recount beyond the 3,500 ballots. After it finishes its own review of the ballots, it agreed to consider the protests made by Wyman and Durkin in November during New Hampshire's recount.

However, the panel did not commit itself to counting any ballots other than the 3,500 that were referred to the New Hampshire Ballot Law Commission after the initial recount of all the votes by the state's secretary of state.

The recount gave Durkin a 10-vote victory. But the commission, after its review of the contested ballots, found Wyman had won by two votes.

The New Hampshire Senate seat has been vacant since the term of former Sen. Norris Cotton (R) expired Jan. 3.

Recount Procedure

The tally certified by the commission will be used by the Rules Committee as the basis on which it will make its recount, adding or subtracting votes for the rival contenders as it undertakes its review.

The ballot recount will be made by the committee members themselves. At least 2,000 to 2,500 ballots are expected to be reviewed by committee staffers, according to Senate sources. The remaining ballots would be counted by the senators.

The staff is trying to find a method of masking which candidate a ballot is marked for to reduce partisan influences in the recount. Although the state had informed voters how to mark their ballots, the committee previously had decided to include in its recount ballots that were check marked or marked with colored pencils, contrary to voting instructions. The committee is expected to approve the ballot counting procedures by the end of the week of Feb. 17.

HANSEN CAMPAIGN VIOLATIONS

The chairman of the House Committee on Standards of Official Conduct said Feb. 19 he expected his committee to look into the case of Rep. George V. Hansen (R Idaho), who pleaded guilty Feb. 19 in U.S. District Court in Washington to two federal campaign financing misdemeanors.

The two counts—each of which carries a possible jail sentence of one year and fine up to \$1,000—involved failure to file one campaign financing report and lying on another that he had filed.

The plea to the two misdemeanor counts was only the third time since World War II that a sitting representative has admitted a criminal act in court. The other two were former Rep. Bertram Podell (D N.Y. 1968-75) in 1974 and former Rep. Thomas J. Lane (D Mass. 1941-63) in 1956.

Hansen is the first sitting representative charged under the 1971 campaign law that established strict disclosure

requirements for all campaign contributions and expenditures of over \$100. (*1971 Campaign act, 1971 CQ Almanac p. 875*)

Hansen does not have to give up his seat, even if he serves a jail term, unless the House decides by a two-thirds vote to oust him.

The Idaho Republican called the investigation by the Justice Department of the campaign violation charges politically motivated and added: "I don't think I've done



George V. Hansen

anything to leave Congress for."

But Rep. John J. Flynt Jr. (D Ga.), new chairman of the Standards of Official Conduct Committee, said Feb. 19: "I expect the committee will go into it."

Flynt declined further comment. House Minority Leader John J. Rhodes (R Ariz.) defended Hansen, saying: "I've known George Hansen for a long time. I have great confidence in his integrity. I'm sure any violations were unintentional."

Hansen served in the House from 1965 to 1969, leaving for an unsuccessful Senate bid, before winning a new term last fall. He first defeated Rep. Orval Hansen (1969-75) in a bitter Republican primary and then went on to beat Democrat Max Hanson in November.

George Hansen had been investigated during the 1974 campaign by investigators from the House Administration Committee which oversaw campaign law violations by House candidates. The FBI also looked into allegations of campaign law violations during the campaign.

Specifically accusing House Administration Committee Chairman Wayne L. Hays (D Ohio) of issuing "damning and libelous statements" about Hansen, the Idaho representative said he had been "singled out to be a test case for (Hays') purposes regarding campaign law reform." Hays denied the charges.

Hansen entered his plea to a criminal information filed by an assistant U.S. attorney after an investigation by the Justice Department and the FBI.

- The first count charged that he did not file a report with the Clerk of the House on June 10 as required by law.

- The second count charged him with filing a sworn report on July 22, in which he claimed he had received no money from June 1 through July 15 when he had actually received \$2,150 and knew it.

HOUSE INTELLIGENCE PANEL

House—Feb. 19, by a 286-120 vote, adopted H Res 138, establishing a Select Committee on Intelligence.

Despite some concern expressed on the floor that a House select committee would only duplicate probes of intelligence already begun by

the White House and the Senate, the House voted to set up its own panel to investigate "allegations of improper and illegal activities of intelligence agencies in the United States and abroad." (*Senate committee, Weekly Report p. 240*)

Among the agencies which H Res 138 authorized the committee to investigate were the National Security Agency, United States Intelligence Board, Central Intelligence Agency (CIA), Federal Bureau of Investigation (FBI), Department of the Treasury and the intelligence components of the Army, Navy and Air Force.

The Ford administration did not take a position on H Res 138.

The committee was given until Jan. 31, 1976, to issue a final report. H Res 138 authorized \$750,000 to carry out the study. The legislation was prompted by charges that the CIA had violated its charter and spied on U.S. citizens during the Vietnam war period and that the FBI maintained derogatory reports on members of Congress. (*CIA charges, 1974 Weekly Report p. 3455; FBI charges, p. 182*)

"We do not know whether these allegations are true in fact or not," Robert N. Giaimo (D Conn.), a co-sponsor of H Res 138, told the House, "but...Congress has the absolute obligation and duty to the American people...to exercise its oversight function to determine whether there is any merit to these allegations...."

The resolution was first considered by a specially appointed ad hoc subcommittee of the Democratic Steering and Policy Committee. Chaired by Giaimo, the subcommittee unanimously adopted the resolution Feb. 4 following which the committee approved it. (*Weekly Report p. 294*)

After the House vote approving H Res 138, Speaker Carl Albert (Okla.), who had consulted with the chairmen of House committees having jurisdiction over intelligence activities, appointed Armed Services Committee member Lucien N. Nedzi (D Mich.) chairman of the select committee. Six other Democrats and three Republicans were selected. Democrats appointed were Giaimo, Don Edwards (Calif.), James V. Stanton (Ohio), Michael J. Harrington (Mass.), Ronald V. Dellums (Calif.) and Morgan F. Murphy (D Ill.). Republicans named were Robert McClory (Ill.), David C. Treen (La.) and Robert W. Kasten Jr. (Wis.).

Floor Action

John B. Anderson (R Ill.) offered an amendment to require equal representation of Republicans and Democrats on the committee, but the proposal was rejected by a 141-265 vote. (*Vote 8, p. 414*)

"If the people wanted the responsibilities to be divided 50-50 between the two parties, they would have voted that way," said freshman William McNulty Brodhead (D Mich.). Supporters of the amendment said a 5/5 party ratio was needed to ensure that the investigation was conducted without partisanship.

The House also rejected a second amendment offered by Anderson to move forward the reporting date from Jan. 31, 1976, to Sept. 1, 1975, so that both the House and Senate committees would issue their final reports simultaneously.

The House did agree to two other Anderson amendments by voice votes. The first required the select committee to establish rules to prevent the disclosure of CIA-related information that would interfere with the agency's foreign operations; the second established a \$750,000 ceiling on committee expenses.

On the 286-120 vote passing H Res 138, Republicans split (55-77) fairly evenly and Democrats gave overwhelming (231-43) approval. (*Vote 9, p. 414*)

Jerry L. Pettis

Rep. Jerry L. Pettis (R Calif.) was killed Feb. 14 when his private plane crashed into a mountain as he flew alone to a meeting of the state Utilities Commission in San Bernardino.

Pettis, 58, was elected to his fifth House term in 1974 with 62 per cent of the vote. He was an unsuccessful candidate in December for the job of House Republican whip.

Considered a strong conservative when he took his district out of Democratic hands in 1966, Pettis



Jerry L. Pettis

gradually developed a more moderate image as he gained seniority in the House. Although he remained a hard-liner on national security issues, Pettis broke with the Nixon administration frequently to support civil rights and environmental legislation.

In 1971, for example, Pettis conducted a successful campaign to force pollution control authorities in Los

Angeles to release secret data on emissions. In 1973, he startled some conservatives by expressing approval at some of the things he saw on a visit to the People's Republic of China. "Despite two revolutions since 1949," Pettis reported, "things appear to be very stable....I certainly don't advocate it for us, but for them it has accomplished a great deal."

Pettis served on the Science and Astronautics Committee until 1970, when he took a vacant California Republican seat on the Ways and Means Committee. As a committee member, he became a strong supporter of Social Security and a key negotiator in attempts to fashion compromise trade legislation acceptable to the Soviet Union.

Locally, Pettis' popularity left him virtually invulnerable to Democratic challenges, even in poor Republican years. After winning his first term with 53.5 per cent in 1966, he was never re-elected with less than 60 per cent.

The 1966 victory came in Pettis' second contest against Democratic Rep. Kenneth W. Dyal (1965-67), who won his only term in the 1964 Johnson landslide.

During the 1964 campaign, Pettis was kidnapped by a man who entered his house at gunpoint, forced him to drive to a deserted orange grove and said, "You know you've been telling a lot of lies about Ken Dyal...If you know what's good for you, you'll shut up." Despite the incident, Dyal won with 51.7 per cent.

Pettis was a native of Phoenix, Ariz., and a resident of Loma Linda, Calif. Before coming to Congress, he was an Air Force flight instructor, a pilot for United Air Lines and a professor of economics at Loma Linda University. The school is Seventh Day Adventist; Pettis was the only Seventh Day Adventist in Congress.